

TH:MWG/SMS
F. #2023R00059

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

EDWIN SPEARS, also known as "Money," and
LEONARDO PETROSILLO,

Defendants.

----- X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances)

1. In or about November 2023, within the Eastern District of New York and elsewhere, the defendants EDWIN SPEARS, also known as "Money," and LEONARDO PETROSILLO, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved (a) 5 kilograms or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance, and (b) 100 kilograms or more of a substance containing a detectable amount of marijuana, a Schedule I controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(ii)(II) and 841(b)(1)(B)(vii); Title 18, United States Code, Sections 3551 et seq.)

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
* DECEMBER 14, 2023 *
BROOKLYN OFFICE

I N D I C T M E N T

Cr. No. 23-CR-519
(T. 18, U.S.C., §§ 2, 982(a)(2)(B),
982(b)(1), 1028(a)(3), 1028(b)(2)(B),
1028(b)(5), 1028(c)(3)(A) and 3551 et
seq.; T. 21, U.S.C., §§ 841(a)(1),
841(b)(1)(A)(ii)(II), 841(b)(1)(B)(vii),
846, 853(a), 853(p), 960(a)(1),
960(b)(1)(B)(ii), 960(b)(2)(G), 963 and
970)

Judge Diane Gujarati
Magistrate Judge Sanket J. Bulsara

COUNT TWO

(Possession with Intent to Distribute Controlled Substances)

2. On or about November 16, 2023, within the District of New Jersey, the defendants EDWIN SPEARS, also known as “Money,” and LEONARDO PETROSILLO, together with others, did knowingly and intentionally possess with intent to distribute one or more controlled substances, which offense involved (a) 5 kilograms or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance, and (b) 100 kilograms or more of a substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(ii)(II) and 841(b)(1)(B)(vii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THREE

(Conspiracy to Export Controlled Substances)

3. In or about November 2023, within the Eastern District of New York and elsewhere, the defendants EDWIN SPEARS, also known as “Money,” and LEONARDO PETROSILLO, together with others, did knowingly and intentionally conspire to export one or more controlled substances from the United States to a place outside thereof, to wit: the United Kingdom, which offense involved (a) 5 kilograms or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance; and (b) 100 kilograms or more of a substance containing a detectable amount of marijuana, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 953(a), 953(c) and 960(a)(1).

(Title 21, United States Code, Sections 963, 960(b)(1)(B)(ii) and 960(b)(2)(G); Title 18, United States Code, Sections 3551 et seq.)

COUNT FOUR

(Attempted Export of Controlled Substances)

4. On or about November 16, 2023, within the District of New Jersey, the defendants EDWIN SPEARS, also known as “Money,” and LEONARDO PETROSILLO, together with others, did knowingly and intentionally attempt to export one or more controlled substances from the United States to a place outside thereof, to wit: the United Kingdom, which offense involved (a) 5 kilograms or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance; and (b) 100 kilograms or more of a substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(Title 21, United States Code, Sections 960(a)(1), 960(b)(1)(B)(ii) and 960(b)(2)(G); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIVE

(Possession of Five or More False Identification Documents)

5. On or about November 16, 2023, within the District of New Jersey, the defendant LEONARDO PETROSILLO, together with others, did knowingly and intentionally possess with intent to use unlawfully and transfer unlawfully, in and affecting interstate and foreign commerce, five or more identification documents (other than those issued lawfully for the use of the possessor), authentication features and false identification documents, to wit: three fraudulent New Jersey drivers’ licenses and two fraudulent Social Security Administration cards.

(Title 18, United States Code, Sections 1028(a)(3), 1028(b)(2)(B), 1028(c)(3)(A), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO

6. The United States hereby gives notice to the defendants that, upon their conviction of either of the offenses charged in Counts One and Two, the government will seek

forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses; and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS THREE AND FOUR

8. The United States hereby gives notice to the defendants that, upon their conviction of either of the offenses charged in Counts Three and Four, the government will seek forfeiture in accordance with Title 21, United States Code, Sections 853(a) and 970, which require any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses; and (b) any

property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

9. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a), 853(p) and 970)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT FIVE

10. The United States hereby gives notice to the defendant charged in Count Five that, upon his conviction of such offense, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 982(a)(2)(B), which requires any person convicted of such offense to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and (b) Title 18, United States Code, Section

1028(b)(5), which requires any person convicted of such offense to forfeit any personal property used or intended to be used to commit the offense.

11. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

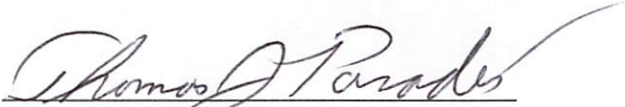
without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(2)(B), 982(b)(1) and 1028(b)(5);

Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON

By Carolyn Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F. #2023R00059
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

EDWIN SPEARS, also known as "Money," and
LEONARDO PETROSILLO,

Defendants.

INDICTMENT

(T. 18, U.S.C., §§ 2, 982(a)(2)(B), 982(b)(1), 1028(a)(3), 1028(b)(2)(B),
1028(b)(5), 1028(c)(3)(A) and 3551 et seq.; T. 21, U.S.C., §§ 841(a)(1),
841(b)(1)(A)(ii)(II), 841(b)(1)(B)(vii), 846, 853(a), 853(p), 960(a)(1),
960(b)(1)(B)(ii), 960(b)(2)(G), 963 and 970)

A true bill.


Foreperson

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Michael W. Gibaldi and Sean M. Sherman, Assistant U.S. Attorneys
(718) 254-6067/6262